

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DONALD J. TRUMP FOR PRESIDENT, INC.,

Plaintiff,

Case No. 20-cv-1289 MV

vs.

MAGGIE TOULOUSE OLIVER, in her official capacity as Secretary of State of New Mexico, the ELECTORS of NEW MEXICO and the STATE CANVASSING BOARD OF NEW MEXICO,

Defendants.

ORDER

THIS MATTER comes before the Court *sua sponte*. On December 14, 2020, Plaintiff Donald J. Trump for President, Inc. filed its Complaint/Motion for Preliminary Injunction and Temporary Restraining Order or, Alternatively, for Stay and Administrative Stay (the “Original Complaint/Motion”) [Doc. 1]. On December 15, 2020, this Court denied Plaintiff’s request for temporary relief on an *ex parte* basis but set an expedited briefing schedule as to Plaintiff’s request for a preliminary injunction [Doc. 3]. On December 22, 2020, Plaintiff filed its First Amended Complaint/Motion for Preliminary Injunction and Temporary Restraining Order or, Alternatively, for Stay and Administrative Stay (the “Amended Complaint/Motion”) [Doc. 9].

As a result of Plaintiff’s filing of the Amended Complaint/Motion, the Court finds as moot the Original Complaint/Motion and vacates the briefing schedule set in the December 15, 2020 Order.

The Court further finds that, given Plaintiff's decision to amend rather than proceed with his original filing, there is no basis for an expedited briefing schedule. Accordingly, the briefing deadlines set forth in D.N.M. Local Rule 7.4(a) shall apply to Plaintiff's Amended Motion.

IT IS SO ORDERED.



MARTHA VIZQUEZ
United States District Judge